

NEVADA DIVISION OF STATE PARKS
POLICY ADMINISTRATIVE MANUAL

Policy No. 20-12
Reference No. _____
Administrator SIGNED
Admin. Signature Date 8/6/97
DCNR SIGNED Date 8/6/97
Reviewed On _____

PERSONNEL
Complaints

POLICY: The Division will respond as appropriate to every legitimate complaint.

PURPOSE: To establish uniform guidelines to investigate, resolve and respond to legitimate complaints.

DEFINITION:

1. Legitimate Complaint: a complaint which is written, phoned in, or reported in person. The complainant must leave name and address, and should also verify that a solution or response to the complaint is desired.
2. Serious Complaint: any incident involving employee misconduct, safety hazards which could result in injury or death, incidents which may result in a lawsuit against the Division, any incidents which might have public interest ramifications, or any other complaint, the gravity or which would warrant an investigation into the circumstances surrounding the incident.

PROCEDURES:

- I. If the complaint is of such a minor nature and the appropriate supervisor(s) can rectify the situation to the mutual satisfaction of both parties, no further action is needed.
- II. In the event that the situation cannot be resolved to the mutual satisfaction of both parties, the complaint and action taken will be documented by the person originally taking the complaint or the immediate supervisor. The report will include all pertinent information such as names, places, dates and times, a synopsis of the verbal complaint or a copy of the written complaint, and a summary of the action suggested to be taken. Serious complaints must be put in writing before further action is taken. With other complaints, reasonable efforts should be made to have the complainant sign a written complaint, or submit a letter outlining the complaint especially if the complaint is by telephone.
- III. Copies of complaint reports outlined in *paragraph II* above will be mailed within two working days of receipt of the complaint to the Administrator, the Regional Manager, Park Supervisor and/or immediate supervisor, of the park involved with the complaint, and any employee named therein. The Regional Manager, and if applicable the *deputy administrator* will be informed by telephone of any serious complaints.
- IV. For serious complaints, the deputy administrator will initiate an investigation, if warranted, and draft a response to the complaint for review by the Administrator. Regional Manager, appropriate supervisor(s), and any employees involved will participate in the process as deemed necessary. During the review process the employee(s) specifically named in the complaint will have the opportunity to comment.

- V. For a serious complaint, the Administrator may appoint a person(s) to investigate the matter. This person(s) should be from outside the unit in which the matter occurred. Internal investigations involving criminal or civil rights violation matters will follow the procedures outlined in the Law Enforcement Manual.

One of four conclusions should be included in the report:

- A. Unfounded - complaint was false
- B. Exonerated - complaint was accurate, but employee's action was justified.
- C. Substantiated - complaint was valid.
- D. No finding - inadequate information to make a determination.

If the complaint is of a criminal nature against an employee, the Administrator will forward it to the Criminal Justice Division of the Attorney General's Office who will take over further investigation

- VI. The Administrator or his designee shall revise the draft response, if necessary, and send it to the appropriate supervisor(s), Regional Manager and the employee(s) involved.
- VII. Confidential documents will be kept in a separate locked file (reference rules below). Only the Administrator or his designee will have access to said file.

RULES:

1. All reports, investigations, reviews and actions relating to charges of employee misconduct shall be confidential, and records maintained in Division office per procedure #7.
2. "Confidential" complaints/documents will:
 - A. Not be released to anyone other than the direct chain of command without the express written authorization of the Administrator.
 - B. Be stamped "confidential" and placed in a sealed envelope also stamped "confidential" and handled accordingly.
3. Employee(s) who are named as the primary reason for the complaint will not take the complaint but direct it to their supervisor or higher authority.
4. Complaints against an employee that are of a criminal nature will be referred to the Criminal Justice Division of the Attorney General's (AG) Office. The Division employees will cooperate fully with the AG Office's instructions regarding an investigation or further action on our part.

Note: *Procedure V* does not differentiate between commissioned and non-commissioned personnel or non-personnel matters of a serious nature because they will all follow the same procedures. This leaves it up to the Administrator to handle at his discretion. Also, investigation procedures are not addressed in this policy, but in the Law Enforcement Manual. Investigative procedures directed by the AG's Office will take precedence over Division procedures.